

01-07-02

CPA/1632#  
#17  
1-11-02

PTO/SB/29 (10-00)

Approved for use through 10/31/2002. OMB 0651-0032  
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## CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

*Submit an original, and a duplicate for fee processing.  
(Only for Continuation or Divisional applications under 37 CFR 1.53(d))*

CHECK BOX, if applicable:  
 DUPLICATE

Address to:

**Assistant Commissioner for Patents**  
Box CPA  
Washington, DC 20231

Attorney Docket No. of Prior Application	960296.95386
First Named Inventor	Judith E. Kimble
Examiner Name	A. Shuki
Group Art Unit	1632
Express Mail Label No.	JAN 10 2002 ET924501690US

RECEIVED

This is a request for a  continuation or  divisional application under 37 CFR 1.53(d),  
(continued prosecution application (CPA)) of prior application number 09 / 321,987,  
filed on 05/28/1999, entitled Agent and Method for Modulation of Cell Migration

TECH CENTER 1600/2900

### NOTES

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. Effective May 29, 2000, a CPA may only be filed in a utility or a plant application if the prior nonprovisional application was filed before May 29, 2000. A CPA may be filed in a design application regardless of the filing date of the prior application. See "Request for Continued Examination Practice changes to and Provisional Application Practice," Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office (Apr. 11, 2000).

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

1.  Enter the unentered amendment previously filed on \_\_\_\_\_ under 37 CFR 1.116 in the prior nonprovisional application.
2.  A preliminary amendment is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
  - a.  **DELETE** the following inventor(s) named in the prior nonprovisional application:  
.....
  - b.  The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4.  A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. Information Disclosure Statement (IDS) is enclosed:
  - a.  PTO-1449
  - b.  Copies of IDS Citations

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box CPA, Washington, DC 20231.

# FEE TRANSMITTAL FOR FY 2002

JAN 03 2002

Patent fees are subject to annual revision.

METHOD OF PAYMENT

\$ 830.00

<i>Complete if Known</i>	
Application Number	09/321,987
Filing Date	05/28/1999
First Named Inventor	Judith E. Kimble
Group Art Unit	1632
Examiner Name	R. Shukla
Attorney Docket Number	960296.95386

RECEIVED

JAN 10 2002

TECH CENTER 1600/2900

**METHOD OF PAYMENT (check one)**

1.  The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 17-0055

Deposit Account Name Quarles &amp; Brady LLP

 Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 Applicant claims small entity status See 37 CFR 1.27

2.  Payment Enclosed:

 Check     Credit Card     Money Order     Other
**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code	Fee (\$)	Small Entity Fee Code	Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	370.00
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	
SUBTOTAL (1) (\$)				370.00	

**2. CLAIMS**

Total Claims	11	-20**=		Extra	Fee from below	Fee Paid
Independent	1	-3**=		X		=
Multiple Dependent Claims				X		=

\*\* or number previously paid, if greater, For reissues see below

Large Entity Fee Code	Fee (\$)	Small Entity Fee Code	Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim
109	84	209	42	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$)				.00

**3. ADDITIONAL FEES**

Large Entity Fee Code	Fee (\$)	Small Entity Fee Code	Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920	112	920	Requesting publication of SIR prior to Examiner action	
113	1,840	113	1,840	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	460
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive unavoidably abandoned application	
141	1,280	241	640	Petition to revive unintentionally abandoned application	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR 1.129(a))	
146	740	246	370	For each additional invention to be examined (37 CFR 1.129(b))	
179	740	270	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify) _____					

Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$ 460.00)

**SUBMITTED BY***Complete if applicable*

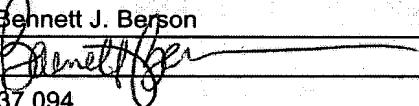
Type or Printed Name	Bennett J. Benson	Registration No. (Attorney/Agent)	37,094	Telephone	608/251-5000
Signature				Date	January 3, 2002

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	<b>TOTAL CLAIMS</b> (37 CFR 1.16(c) or (j))	11 -20* =	0	x \$ _____ =	\$ 0.00
	<b>INDEPENDENT CLAIMS</b> (37 CFR 1.16(b) or (i))	1 -3** =	0	x \$ _____ =	
	<b>MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))</b>			+ \$ _____ =	
				<b>BASIC FEE</b> (37 CFR 1.16)	370.00
				Total of above Calculations =	
	Reduction by 50% for filing by small entity (Note 37 CFR 1.27).				
	<small>* Reissue claims in excess of 20 and over original patent. ** Reissue independent claims over original patent.</small>				
	TOTAL = 370.00				
6.	<input checked="" type="checkbox"/> Small entity status: Applicant claims small entity status. See 37 CFR 1.27.				
7.	The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. <u>17 - 0055</u> :				
a.	<input checked="" type="checkbox"/> Fees required under 37 CFR 1.16.				
b.	<input checked="" type="checkbox"/> Fees required under 37 CFR 1.17.				
c.	<input checked="" type="checkbox"/> Fees required under 37 CFR 1.18.				
8.	<input type="checkbox"/> A check in the amount of \$_____ is enclosed.				
9.	<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.				
10.	<input type="checkbox"/> Applicant requests suspension of action under 37 CFR 1.103(b) for a period of _____ months (not to exceed 3 months) and the fee under 37 CFR 1.17(i) is enclosed.				
11.	<input type="checkbox"/> New Attorney Docket Number, if desired _____ <small>[Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.]</small>				
12. a.	<input type="checkbox"/> Receipt For Facsimile Transmitted CPA (PTO/SB/29A)				
12. b.	<input checked="" type="checkbox"/> Return Receipt Postcard (Should be specifically itemized, See MPEP 503)				
13.	<input checked="" type="checkbox"/> Other: Declaration Under 37 C.F.R. 1.132				

**NOTE:** *The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.*

14. NEW CORRESPONDENCE ADDRESS					
<input type="checkbox"/> Customer Number or Bar Code Label		(Insert Customer No. or Attach bar code label here)		or <input type="checkbox"/> New correspondence address below	
Name					
Address					
City	State		Zip Code		
Country	Telephone		Fax		

## 15. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print /Type)	Bennett J. Benson
Signature	
Registration No. (Attorney/Agent)	37,094
Date	January 3, 2002



Firststar Plaza  
One South Pinckney Street  
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Madison, Wisconsin 53701-2113  
Tel 608.251.5000  
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[www.quarles.com](http://www.quarles.com)

*Attorneys at Law in:*  
Phoenix and Tucson, Arizona  
Naples and Boca Raton, Florida  
Chicago, Illinois (Quarles & Brady LLC)  
Milwaukee and Madison, Wisconsin

January 3, 2002

Commissioner for Patents  
Box CPA  
Washington DC 20231

Re: Filing Patent Application

Dear Sir:

Enclosed for filing please find a continued prosecution patent application entitled:

AGENT AND METHOD FOR MODULATION OF CELL MIGRATION

by Judith E. Kimble and Robert H. Blelloch.

The undersigned hereby certifies that this document is being deposited with the United States Postal Service today, January 3, 2002, by the "Express Mail" service, utilizing Express Mail label number ET924501690US, addressed to: Commissioner for Patents, Box CPA, Washington, DC 20231.

Please indicate receipt of this application by returning the attached postcard with the official Patent and Trademark Office receipt stamped thereon.

Respectfully submitted,

Enclosures  
QBMADI\321474.1



# UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/321,987	05/28/1999	1632	951	960296.95386	2	27	2

26734  
 QUARLES & BRADY LLP  
 FIRSTAR PLAZA, ONE SOUTH PINCKNEY STREET  
 P.O. BOX 2113 SUITE 600  
 MADISON, WI 53701-2113

CONFIRMATION NO. 7352  
**CORRECTED FILING RECEIPT**  
  
 \*OC000000007300368\*

Date Mailed: 01/11/2002

Receipt is acknowledged of a CPA in this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

#### Applicant(s)

JUDITH E. KIMBLE, MADISON, WI;  
 ROBERT H. BLELLOCH, MADISON, WI;

#### Domestic Priority data as claimed by applicant

THIS APPLN CLAIMS BENEFIT OF 60/087,170 05/29/1998  
 AND CLAIMS BENEFIT OF 60/129,023 04/13/1999

#### Foreign Applications

If Required, Foreign Filing License Granted 08/04/1999

CPA filed on: 01/03/2002

Projected Publication Date: 04/25/2002

Non-Publication Request: No

Early Publication Request: No

**\*\* SMALL ENTITY \*\***

#### Title

AGENT AND METHOD FOR MODULATION OF CELL MIGRATION

#### Preliminary Class

800

**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15 (b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).